

I. STATEMENT OF SUBSTANCE OF INTERVIEW

The following is Applicant's Statement of Substance of Interview held with the Examiner of Record in the above-identified application on February 26, 2008.

Applicant's representative demonstrated that the cited prior art fails to teach or suggest Applicant's claimed invention of, "acquiring a position of said mobile radio terminal; and sending measured information including said reception status and said position to said information collecting server," wherein the position is a coordinate position determined by a positioning system, for example, a global positioning system (GPS.)

II. REMARKS

Claims 1-73 are all the claims presently pending in this application. Claims 56-73 have been added to claim additional features of the claimed invention.

An Excess Claim Fee Payment of \$900.00 for eighteen (18) additional claims in excess of fifty-five (55) previously paid for claims, (at \$50.00 per claim in excess of highest number of previously paid for claims), is included herewith.

It is noted that the amendments are made only to more particularly define the invention and not for distinguishing the invention over the prior art, for narrowing the scope of the claims, or for any reason related to a statutory requirement for patentability. It is further noted that, notwithstanding any claim amendments made herein, Applicant's intent is to encompass equivalents of all claim elements, even if amended herein or later during prosecution.

Claims 1-55 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ebenshpanger, U.S. Pat. App. Pub. No. 2005/0245250, further in view of Guo et al., U.S. Pat. No. 6,982,949.

Both references to Ebenshpanger and Guo are hereby removed by perfecting the claim to foreign priority based on Applicant's foreign priority document, JP 2002-330734, since the filing date of the provisional application to Ebenshpanger is February 21, 2003, and the filing date of the Guo application is February 28, 2003, which are both after the instant Application's foreign priority date of November 14, 2002, based on filing date of JP 2002-330734.

Accompanying this Amendment is a verified English translation of Applicant's priority document, thereby perfecting the claim to priority under 35 U.S.C. §119(a)-(d).

Thus, Applicant respectfully requests that the Examiner withdraw the rejection of claims 1-55 and permit these claims to pass to immediate allowance.

This rejection is respectfully traversed in view of the following discussion.

III. FORMAL MATTERS AND CONCLUSION

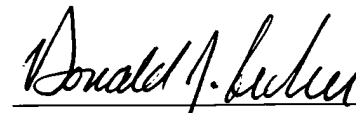
In view of the foregoing, Applicant submits that claims 1-73, all of the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Date: February 28, 2008

Respectfully Submitted,



Donald J. Lecher, Esq.

Reg. No. 41,933

Sean M. McGinn, Esq.

Reg. No. 34,386

McGinn Intellectual Property Law Group, PLLC

8321 Old Courthouse Rd., Suite 200

Vienna, Virginia 22182

(703) 761-4100

Customer No. 21254